



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB4255

Introduced 1/5/2023, by Sen. Sara Feigenholtz

SYNOPSIS AS INTRODUCED:

30 ILCS 105/5.990 new
110 ILCS 975/6.5
225 ILCS 65/70-50

was 225 ILCS 65/20-40

Amends the Nursing Education Scholarship Law. Creates the Nurse Educator Scholarship Fund as a special fund in the State treasury to be used by the Department of Public Health to provide scholarships to nurse educators. Provides that each fiscal year, beginning July 1, 2023, the Comptroller shall transfer \$1,500,000 from the General Revenue Fund to the Nurse Educator Scholarship Fund to implement these provisions. Makes a conforming change in the State Finance Act. Amends the Nurse Practice Act. Provides that \$6,000,000 (instead of \$4,000,000) of the moneys deposited in the Nursing Dedicated and Professional Fund each year shall be set aside and appropriated to the Illinois Student Assistance Commission for nursing scholarships awarded pursuant to the Nursing Education Scholarship Law. Effective immediately.

LRB102 30086 AMQ 42296 b

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The State Finance Act is amended by adding
5 Section 5.990 as follows:

6 (30 ILCS 105/5.990 new)

7 Sec. 5.990. The Nurse Educator Scholarship Fund.

8 Section 10. The Nursing Education Scholarship Law is
9 amended by changing Section 6.5 as follows:

10 (110 ILCS 975/6.5)

11 Sec. 6.5. Nurse educator scholarships.

12 (a) The Nurse Educator Scholarship Fund is created as a
13 special fund in the State treasury to be used by the Department
14 to provide scholarships under this Law. Each fiscal year
15 beginning July 1, 2023, the Comptroller shall transfer
16 \$1,500,000 from the General Revenue Fund to the Nurse Educator
17 Scholarship Fund to implement this Section of this Law. The
18 ~~Beginning with the fall term of the 2009-2010 academic year,~~
19 ~~the~~ Department shall provide scholarships to individuals
20 selected from among those applicants who qualify for
21 consideration by showing the following:

1 (1) that he or she has been a resident of this State
2 for at least one year prior to application and is a citizen
3 or a lawful permanent resident of the United States;

4 (2) that he or she is enrolled in or accepted for
5 admission to a graduate degree in nursing program at an
6 approved institution; and

7 (3) that he or she agrees to meet the nurse educator
8 employment obligation.

9 (b) If in any year the number of qualified applicants
10 exceeds the number of scholarships to be awarded under this
11 Section, the Department shall, in consultation with the
12 Illinois Nursing Workforce Center Advisory Board, consider the
13 following factors in granting priority in awarding
14 scholarships:

15 (1) Financial need, as shown on a standardized
16 financial needs assessment form used by an approved
17 institution, of students who will pursue their education
18 on a full-time or close to full-time basis and who already
19 have a diploma in nursing and are pursuing a higher
20 degree.

21 (2) A student's status as a registered nurse who is
22 pursuing a graduate degree in nursing to pursue employment
23 in an approved institution that educates licensed
24 practical nurses and that educates registered nurses in
25 undergraduate and graduate nursing programs.

26 (3) A student's merit, as shown through his or her

1 grade point average, class rank, experience as a nurse,
2 including supervisory experience, experience as a nurse in
3 the United States military, and other academic and
4 extracurricular activities.

5 (c) Unless otherwise indicated, scholarships under this
6 Section shall be awarded to recipients at approved
7 institutions for a period of up to 3 years.

8 (d) Within 12 months after graduation from a graduate
9 degree in nursing program for nurse educators, any recipient
10 who accepted a scholarship under this Section shall begin
11 meeting the required nurse educator employment obligation. In
12 order to defer his or her continuous employment obligation, a
13 recipient must request the deferment in writing from the
14 Department. A recipient shall receive a deferment if he or she
15 notifies the Department, within 30 days after enlisting, that
16 he or she is spending up to 4 years in military service. A
17 recipient shall receive a deferment if he or she notifies the
18 Department, within 30 days after enrolling, that he or she is
19 enrolled in an academic program leading to a graduate degree
20 in nursing. The recipient must begin meeting the required
21 nurse educator employment obligation no later than 6 months
22 after the end of the deferment or deferments.

23 Any person who fails to fulfill the nurse educator
24 employment obligation shall pay to the Department an amount
25 equal to the amount of scholarship funds received per year for
26 each unfulfilled year of the nurse educator employment

1 obligation, together with interest at 7% per year on the
2 unpaid balance. Payment must begin within 6 months following
3 the date of the occurrence initiating the repayment. All
4 repayments must be completed within 6 years from the date of
5 the occurrence initiating the repayment. However, this
6 repayment obligation may be deferred and re-evaluated every 6
7 months when the failure to fulfill the nurse educator
8 employment obligation results from involuntarily leaving the
9 profession due to a decrease in the number of nurses employed
10 in this State or when the failure to fulfill the nurse educator
11 employment obligation results from total and permanent
12 disability. The repayment obligation shall be excused if the
13 failure to fulfill the nurse educator employment obligation
14 results from the death or adjudication as incompetent of the
15 person holding the scholarship. No claim for repayment may be
16 filed against the estate of such a decedent or incompetent.

17 The Department may allow a nurse educator employment
18 obligation fulfillment alternative if the nurse educator
19 scholarship recipient is unsuccessful in finding work as a
20 nurse educator. The Department shall maintain a database of
21 all available nurse educator positions in this State.

22 (e) Each person applying for a scholarship under this
23 Section must be provided with a copy of this Section at the
24 time of application for the benefits of this scholarship.

25 (f) Rulemaking authority to implement this Law ~~Act~~ is
26 conditioned on the rules being adopted in accordance with all

1 provisions of the Illinois Administrative Procedure Act and
2 all rules and procedures of the Joint Committee on
3 Administrative Rules; any purported rule not so adopted, for
4 whatever reason, is unauthorized.

5 (Source: P.A. 102-699, eff. 4-19-22; 102-1030, eff. 5-27-22;
6 revised 8-12-22.)

7 Section 15. The Nurse Practice Act is amended by changing
8 Section 70-50 as follows:

9 (225 ILCS 65/70-50) (was 225 ILCS 65/20-40)

10 (Section scheduled to be repealed on January 1, 2028)

11 Sec. 70-50. Fund.

12 (a) There is hereby created within the State Treasury the
13 Nursing Dedicated and Professional Fund. The monies in the
14 Fund may be used by and at the direction of the Department for
15 the administration and enforcement of this Act, including, but
16 not limited to:

17 (1) Distribution and publication of this Act and
18 rules.

19 (2) Employment of secretarial, nursing,
20 administrative, enforcement, and other staff for the
21 administration of this Act.

22 (b) Disposition of fees:

23 (1) \$5 of every licensure fee shall be placed in a fund
24 for assistance to nurses enrolled in a diversionary

1 program as approved by the Department.

2 (2) All of the fees, fines, and penalties collected
3 pursuant to this Act shall be deposited in the Nursing
4 Dedicated and Professional Fund.

5 (3) Each fiscal year, the moneys deposited in the
6 Nursing Dedicated and Professional Fund shall be
7 appropriated to the Department for expenses of the
8 Department and the Board in the administration of this
9 Act. All earnings received from investment of moneys in
10 the Nursing Dedicated and Professional Fund shall be
11 deposited in the Nursing Dedicated and Professional Fund
12 and shall be used for the same purposes as fees deposited
13 in the Fund.

14 (4) For fiscal years 2010 through 2022, \$2,000,000 of
15 the moneys deposited in the Nursing Dedicated and
16 Professional Fund each year shall be set aside and
17 appropriated to the Department of Public Health for
18 nursing scholarships awarded pursuant to the Nursing
19 Education Scholarship Law. For fiscal year 2023 and for
20 each fiscal year thereafter, \$6,000,000 ~~\$4,000,000~~ of the
21 moneys deposited in the Nursing Dedicated and Professional
22 Fund each year shall be set aside and appropriated to the
23 Illinois Student Assistance Commission for nursing
24 scholarships awarded pursuant to the Nursing Education
25 Scholarship Law.

26 (5) Moneys in the Fund may be transferred to the

1 Professions Indirect Cost Fund as authorized under Section
2 2105-300 of the Department of Professional Regulation Law
3 (20 ILCS 2105/2105-300).

4 (c) Moneys set aside for nursing scholarships awarded
5 pursuant to the Nursing Education Scholarship Law as provided
6 in item (4) of subsection (b) of this Section may not be
7 transferred under Section 8h of the State Finance Act.

8 (Source: P.A. 102-699, eff. 4-19-22.)

9 Section 99. Effective date. This Act takes effect upon
10 becoming law.